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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

EDWARD CARTER, et al.,

Plaintiffs,

v.

INCORPORATED VILLAGE OF OCEAN BEACH, et al.,

Defendants.

CV 07-1215 (SJF)(ETB)

[~~Joint Proposed~~] **ORDER**

Plaintiffs issued a subpoena, dated May 5, 2009, to non-party Facebook, Inc. ("Facebook") seeking production of certain documents and electronically stored information associated with the Facebook account of Defendant George B. Hesse. Upon receiving objections to the subpoena from Facebook, Plaintiffs sought to compel Facebook's compliance with the subpoena by letter to the Court, dated May 28, 2009. Facebook responded on June 2, 2009, maintaining its objections to the subpoena. Counsel for the respective parties, as well as counsel for Facebook, appeared for a conference concerning Plaintiffs' subpoena on June 18, 2009. Subsequent to that conference, Plaintiffs served a revised subpoena to Facebook, dated June 24, 2009 (the "June 24 Subpoena"), and Defendant Hesse executed a written consent form authorizing Facebook to provide Plaintiffs with the materials identified in the June 24 Subpoena.

At the request of counsel for Plaintiffs and counsel for Defendant Hesse, it is hereby ORDERED that Facebook shall produce the information identified and sought by the June 24 Subpoena to counsel for Plaintiffs, with a copy to counsel for Defendant Hesse, expeditiously.

6/30/09

/s/ E. Thomas Boyle, U.S.M.J.

Hon. E. Thomas Boyle
United States Magistrate Judge
for the Eastern District of New York

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